

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

**GREGORY ANTHONY SMITH,
a/k/a Samuel William Cocke,**

Civil No. 05-2892 PAM/SRN

Plaintiff,

v.

ORDER

**MINNESOTA D.O.C. ET ALL [sic],
MEDACAL [sic],**

Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated February 8, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is

DENIED; and

2. This action is **DISMISSED WITHOUT PREJUDICE**.

DATED: March 1, 2006

s/ Paul A. Magnuson
Paul A. Magnuson

United States District Court Judge